



FEDERAL ELECTION COMMISSION
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TO: The Commission

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SUBJECT: MUR 6566 (Lisa Wilson-Foley for Congress, *et al.*)
Abeyance of Matter

This matter concerns an allegation that Lisa Wilson-Foley for Congress (the "Committee") received in-kind contributions from a family business in violation of the Federal Election Campaign Act of 1971, as amended (the "Act"). According to the Complaint, Apple Health Care, Inc., whose president is Wilson-Foley's husband Brian Foley, paid John Rowland, a former Governor of Connecticut, as a "consultant" while he performed campaign work for the Committee, constituting an impermissible corporate contribution to the Committee that the Committee failed to disclose.

On February 25, 2014, the Commission determined to hold MUR 6566 in abeyance for a period of six months, subject to renewal upon written request.²

² See Certification ¶ 3, MURs 6566 and 6604 (Lisa Wilson-Foley for Congress, *et al.*) (Feb. 28, 2014). MUR 6604 included the same allegation as MUR 6566, as well as an allegation that Rowland and CBS Radio made an impermissible corporate contribution to the Committee in the form of Rowland's radio show on which he criticized one of Wilson-Foley's opponents. The Commission severed the overlapping allegation from MUR 6604 and merged it into MUR 6566, and found no reason to believe Respondents violated the Act in connection with the radio show. See *id.* ¶¶ 1-2.

As discussed in further detail
continue to hold MUR 6566 in

below, we recommend that the Commission
abeyance.

A. Pleas and Indictment

On March 31, 2014, Lisa Wilson-Foley and Brian Foley each entered a guilty plea to a single misdemeanor count of conspiracy to violate 2 U.S.C. §§ 441a(a)(1)(A), 441a(f), and 437g(d)(1)(A)(ii), in violation of 18 U.S.C. § 371.⁴ The Foleys have not yet been sentenced.

John Rowland was indicted on April 10, 2014, for violations of 2 U.S.C. §§ 441a(a)(1)(A) and 441a(f) and 18 U.S.C. §§ 1519 (falsification of records), 371 (conspiracy), and 1001 (false statements). A superseding indictment was issued on June 12, 2014, containing the same allegations.⁵ Rowland's criminal trial is scheduled to begin September 3, 2014.

B. We Recommend Granting the Request to Abate

The Commission previously voted to abate this matter for a six-month period, subject to extension, which expired on August 25, 2014. The same circumstances that supported the previous determination of the Commission to abate its administrative proceedings here for a discrete period also support granting the renewed request.

Further, the imminent trial of one of the respondents on charges that are directly related to the activities at issue in this matter, and the expected sentencing of two other respondents in connection with those same activities, may give rise to further information that may be relevant to the Commission's determination of the questions presented in this matter. Nor would holding the matter in abeyance for an additional period of six months be likely to undermine the Commission's enforcement matter — at the very earliest, the statute of limitations would not begin to run until October 1, 2016. As such, continuing to postpone the Commission's treatment of the MUR for a reasonable amount of time would not place the enforcement matter in jeopardy of exceeding the applicable limitations period.

⁴ See Daniel A. Petalas E-mail to Commission (Apr. 1, 2014, 05:36 p.m.) (attaching plea agreements and criminal information).

⁵ See Superseding Indictment, *United States v. Rowland*, Crim. No. 3:14CR-79-JBA (D. Conn. June 12, 2014). A copy of the Superseding Indictment is available in the Commission's Voting Ballot Matters folder.

1 Because it would aid both the Commission's enforcement process
2 , we recommend that the Commission hold MUR 6566 in abeyance for an additional
3 period of six months.

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5 **RECOMMENDATION:**

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7 Continue to hold MUR 6566 in abeyance for six months from the date of certification.

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